

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Susan Russell, for,
Glenn Edward Roach,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

Case No.: 1:10-cv-746

Judge Michael R. Barrett

ORDER

This matter is before the Court on the Report and Recommendation (“Report”) filed by Magistrate Judge Stephanie K. Bowman on November 22, 2011 (Doc. 9).

Proper notice has been given to the parties under Rule 72(b) of the Federal Rules of Civil Procedure, including notice that the parties would waive further appeal if they failed to file objections to the Report in a timely manner.¹ *See United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981). No objection to the Report has been filed.

Having reviewed this matter de novo, this Court finds the Report to be correct. Accordingly, it is **ORDERED** that the Report is hereby **ADOPTED** in full. As the Report recommends (Doc. 9, 18–19), the Commissioner’s decision to deny Plaintiff DIB and SSI benefits is **REVERSED**, and this matter is **REMANDED** under sentence four of 42 U.S.C. § 405(g). On remand, the ALJ shall (1) evaluate the functional limitations caused by Claimant’s severe cardiac disease, including but not limited to his CHF: (2) reconsider all three medical source opinions in the context of proof of Claimant’s cardiac

¹ Notice was attached to the Report regarding objections. (Doc. 19, 20.)

disease, including but not limited to his CHF. As no further matters remain pending for the Court's review, this case is **CLOSED**.

IT IS SO ORDERED.

s/Michael R. Barrett
United States District Judge